Revenue

App F IX 4

1933.

File No 91-33

Previous References (Nil)

Serial Nos 1-2

Later References

Rel 51 33 (19,20)

rel 119-41-235

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for September 1933

SUBJECT

Rules for regulating the election of members to Municipal Council in Minor Municipalities

sl 1 - To - Compiler. M G

Note for rel 1399 dg 22-8-33

Issued —

BC 1/10/33

regulating

Revision of the rules for the election of Municipal councillors in Minor Municipalities in the State

---

1 The existing rules were prescribed by notification No L 7722/1 41-30-123 dated the 9th March 1931 The new Minor Municipalities Regulation which will come into force from 1st August 1933 confers adult franchise and the existing rules 1 to 12 require several modifications This opportunity has been taken to revise the rules thoroughly in order to simplify as far as possible the procedure to be followed in the elections as far as possible

2 The following are the chief modifications introduced -

(a) Rule 2 - In this rule full power has been given to the Deputy Commissioners to divide Minor Municipalities into divisions and fix the seats for each division and vary the same in accordance with such instructions as may be issued by Government from time to time in this behalf

The existing rule 2 requires the approval of Govt This appears to be unnecessary & the decentralisation proposed tends to reduce correspondence with Govt etc

behalf,

(b) Rule 3 - In the ne Regulation there is no provision that persons could vote only if their name are entered in the list of voters and as every person of or above 21 years of a who have been res dir in the municipality for a period of not les than six months prior to the date of electior is entitled to vote under Sect on 7 of the Regulation, Exclusion of persons who are entitled to vote on the ground that their names are not entered in the list or hat objections were not preferred earlier ma not be strictly lawful as, however, a li of voters is necessary in order to prevent one and the same person from voting ~~twice~~ more than once ~~on two occasions~~, a lis may be prepared one month before the date of election ~~Rule 7~~

A list seems to be necessary not only to prevent persons voting more than once but also to guard against outsiders or casual visitors to the place of going to vote
Roy

(c) Rule 7 - As objections will be fe and far between, it appears enough if the retur officer decides summarily objections and claims in this respec and his decision is there

The present rule 8 vests the power of summary disposal in the Municipal Council The change proposed is in accordance with the practice in Village Panchayat elections & may be adopted
Roy

is made final

(d) Rule 9 - The existing rule 9(2) requires that persons standing as candidates at municipal elections should be nominated by two persons entitled to vote In the District Board election rules and in the Representative Assembly and Legislative Council rules no such provision exists for these elections, the candidate puts in an application to the returning officer In order that the rule re-candidature may be uniform in all the election rules the existing provision in the minor municipal election rules for nomination of candidates has been omitted and the candidates are required to put in applications in a prescribed form to the returning officer intimating that the wish to stand for election

(e) Rule 18 - The provisions in the existing rule 18 that the candidates should at their own cost supply a block depicting a symbol has been modified so that the returning officer may assign the symbol

symbols automatically as in the District Board elections.

(g) Rule 17(2) as in the District Board election rule 19, power has been taken to remove the names of candidates from the voting paper if after affording opportunity to hear them, the returning officer is satisfied that they are disqualified.

~~(h) Rule 22~~ - In the existing rule 22, the polling officer has power to permit the voter to take an attendant into the polling booth for recording his vote if he is through blindness illiteracy or any other cause incapable of recording his vote for himself. In the case of District Board and Representative Assembly and Legislative Council elections, the polling officer is required to assist the voter in such circumstances in marking the vote on voting paper. The existing procedure in the municipal elections has been changed so as to be identical with that in the case of the District Board and Representative Assembly

If Rule 14 Provision has been made for affording better facilities for purdha women to vote separately as suggested by Khan Bahadur Mia Abbas Khan at the meeting of the Special Committee to consider the Bill

(h) Rules 19 and 20 and 22 It is not necessary to recognise any agents of candidates and allow them to enter the ante-room of the polling booth

45-9 733
pp

527

Assembly election

Rule 34 - The rule has been modified so that the result of election may be sent to the Deputy Commissioner who may notify the same in the Mysore Gazette

The present practice is for the Dy Comr to report the result to Govt who notifys the same in the Gazette Publication by Govt is not necessary under Sec 6(4) of the Minor Mehtrs Regn and it will save a lot of correspondence if the Dycom publishes the results as in the new rule proposed
MD

Rule 37 - Power has been given to the Deputy Commissioner for sufficient reasons to enlarge the periods or alter the dates fixed for the several stages of election as in Rule 34 of the District Board electio rules

3 In the remaining rules only such minor changes as are necessary have been made

8/3/33
13/7/33 Secy)

MD
22/7

4 The Attorney General also should verify that the above

MD
27/7

Attorney General
W.O. Camps) MD 27/7

43
Law

Election Rules for minor municipalities

General and Revenue Secretariat

File No of 193

[App F III—2

Serial No

5 Under section 7 of the minor municipalities Regn, 1933, every person who has completed 21 years of age and has been residing in the Municipality for a period of not less than 6 months prior to the date of election is entitled to be a voter The Regulation does not prescribe for a list of voters being prepared, like any municipal election roll, enrolment in which would alone give the right to vote If no provision exists for a registration of voters an election cannot be invalidated by the votes of unregistered voters The consequences of having no register of voters are however serious, and I think it would be well to take the rule making powers of Govt under sec 106 to prescribe for such a register The requirement of registration does not add a new qualification and a rule made prescribing registration as a condition precedent to a voter exercising his right to vote cannot therefore be ultra vires

6 The draft rules are therefore in order and may be approved

Asst Secy (Legl)
with Compts

DMP
18/8/33

Secy (Legl)

AM 19/8/33

may be approved. Legn to be adopted as proposed.

T. Dumbell

WD/70—GBPM—60 000—13 8 3

19/8/33

7/8 AM

Hilly Municipal Council Election Rules

File No 91 of 1933-34 General and Revenue Secretariat

Please take action to get proof as in the other case

Draft from to the Compiler regarding Gazette of the rules & requesting the supply of 5 proofs are ready for signature

16/8/33 — Issued vide L 1295 dt 16 8 33

The proof received has been duly corrected & submitted for perusal before issue

for 18/8/33

For perusal before issue

Sec'y)

I Member

18/8

18/8

19/8

24/8

The Compiler, Mysore Gazette vide L 1394 dt 22-8-33

with the rules for election of members to Municipal councils in the State. The rules have been published in the Mysore Gazette dated 15 8 33 (Part IV Pages 576-583)

Draft of an errata note is submitted for approval

Issue at once

29/8

18/8/33

Issued vide L 15-14½ M L 91-33-2 dt

GENERAL SECRT. 18 AUG 1933 No

Sec dM b fC II 19 AUG 1933 N 6899

79

1-33-1

Dond 1295/pieds dated 16/8/83

Dear Sir,

I am desired to forward herewith in original (to be kindly returned when done with) a notification issuing rules for the election of Municipal Councillors in the Minor Municipalities in the State and to request that it may be set in type and five clean proofs forwarded to this office on or before the 18th instant The same will have to be published in the next week's Gazette

Yours sincerely,

16/8

B. Srinivasaiengar, Esquire, B A ,
Superintendent, Government Press and
Compiler, Mysore Gazette, Bangalore

---

1 In these rules,

(1) "The Deputy Commissioner" means the Deputy Commissioner of the District in which the municipality in question is situated and includes an Assistant Commissioner to whom the Deputy Commissioner may delegate, as he is hereby empowered to delegate, any of his powers

powers or duties under these rules

(c) "The Regulation" means the Mysore Minor Municipalities Regulation, 1933

(3) Returning Officer means in respect of the Municipality or Municipalities entered in the first column of the table given below the person mentioned in the second column of the said table

TABLE

Municipality	Returning Officer
Minor Municipalities having Presidents	The President of the Municipal Council concerned
Every other Minor Municipality	A person appointed by the Deputy Commissioner of the District

Divisions and elective Councillors

2 (1) The Deputy Commissioner may, in accordance with such instruction, if any as may be issued from time to time by the Government in this behalf, divide the municipality for electoral purposes into as many divisions as may be necessary the boundaries of which shall be clearly defined and when such a division has been made he shall fix the number of councillors to be elected in each division so that every division shall be adequately represented in the election

~~division so that every division shall be adequately represented by election.~~

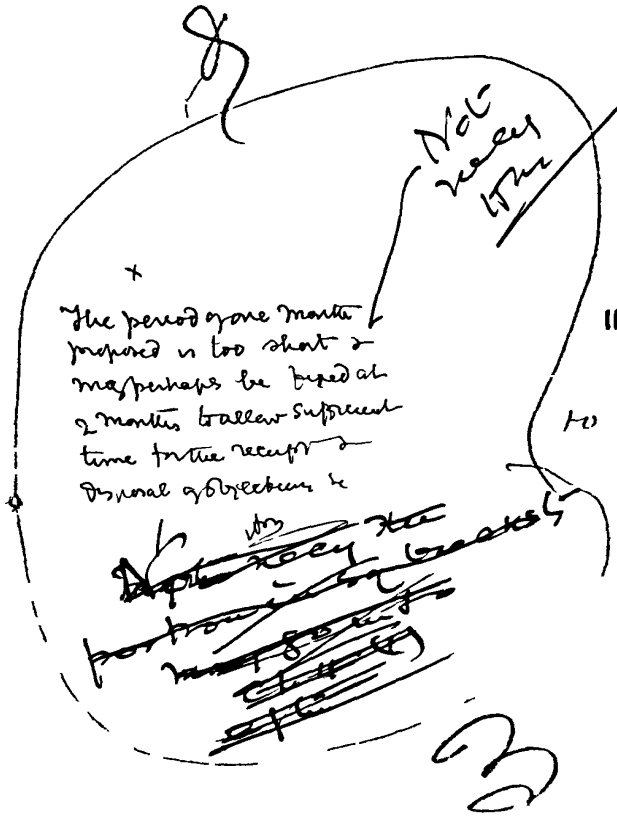
(2) The divisions into which the minor municipalities are at present divided for electoral purposes and the number of elective councillors at present apportioned over the several divisions therein, shall be deemed to have been fixed and apportioned under sub-rule (1)

(3) The Deputy Commissioner may, subject to the orders ~~of Government~~ if any issued by the Govt from time to time, alter ~~from time to time~~ the number and boundaries of the divisions and vary the number of ~~electives~~ councillors to be elected by each division

List of voters

31) The ~~Municipal~~ ~~Council~~ the returning officer hall, ~~[~~ ~~]~~ not less than one month prior to the date on which an election is to be held ~~[~~ ~~]~~ prepare a list of persons entitled to vote under section 7 of the regulation

(2) If the municipality has been divided ~~into~~ for electoral purposes into


Not necessary
The period of one month proposed is too short & may perhaps be fixed at 2 months to allow sufficient time for the receipt & disposal of objections &

into divisions, such list shall show the persons entitled to vote in each division separately.

4 (1) A copy of the list so prepared shall be published by affixing a copy thereof —

(a) in Kannada and

(b) if the Returning Officer so directs in English also ~~at the municipal office~~ at the municipal office in the Taluk Office, if any, within municipal limits, and in such other conspicuous places in the Municipality as the said officer may consider suitable

(2) When the list has been so publish the Returning Officer shall, by beat of tom tom and printed hand bills, give public notice thereof, and of the places where the list or a copy thereof may be inspecte as also of the fact that any person entitl ~~under Section 7 of the Regulations~~ under rule 7 to prefer an objection or cla may apply in writing to the Returning Officer for the amendment of the list

4

(3) A copy of the hand bill shall al

also be published both in Kannada and English in the Mysore Gazette and copies thereof shall be affixed in the Municipal Office and in the Office of the Amildar or the Deputy Amildar of the Taluk within which the Municipality is situated

5 Each voter shall be entitled to vote in the division in which he resides

6 No person shall vote in more than one division

Revision of list ~~marking~~

7 (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list, who thinks that his own name or that of some other person has been wrongly entered therein, may apply in writin within a ~~fortnight~~ week from the date of publication of the list to the Returning Officer for the amendment thereof

(1) A fortnight's time may be allowed
Vom
Notice
Vom

thereof

(2) The returning officer shall ~~within three days~~ hear and decide any objection to the claims and objections received under sub-rule 1 The decision of the returning officer on the claims and objections put forward shall be final and the returning officer shall keep a record of his decision with brief reasons therefor and communicate the substance of his decision to the parties concerned and the ~~other~~ municipal council

(3) The list of voters shall be amended in accordance with the decision of the returning officer A copy of the list in Panjabi as finally amended ~~under this rule~~ shall be affixed in some ~~conspicuous~~ and conspicuous place in the municipal office a fortnight before the date fixed for the general election

(3) Any application for, or omission from, or correction in the list which the Returning Officer declares to be necessary, otherwise than on the application of any person interested therein, shall also be made by him

Publication and custody of list of voters ~~election roll~~

8 (1) The list of voters shall be amended in accordance with the decision of the ~~municipal council~~ returning officer

~~Deputy Commissioner or the officer, as the case may be,~~ and a copy thereof signed by the returning officer shall be ~~the kept~~ kept in safe custody in the municipal ~~municipal election roll~~ office

(2) ~~The municipal election roll shall~~ A copy of the list as amended shall be published in the manner prescribed in rule 4 within a ~~month and a half~~ fortnight* from the date of first publication of the list of voters under rule 4 (1) before

(3) Every such election roll shall be entered in a book, each page of which shall be signed by the officer aforesaid and sealed with the common seal of the municipal seal of the municipal The said book shall be ~~kept~~ kept in the municipal chest or safe under lock and key and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the book

9 Intimation of candidature - Every person who wishes to stand for election in any division shall, within ~~seven~~ three days of the publication of the amended list under rule 8 (2), signify his intention by app

* This period may be one month from the date of the first publication of the list

Publication of date, place & of election

At least one month before the date fixed for election, the returning officer shall publish in the manner prescribed in rule 4, a notice containing the following particulars —

(1) the date, place & hour of election and
(2) the latest date for the receipt of applications for candidature

This rule is based on Rule 15 of the DMD Election Rules & seems to be necessary

Rule 15 DMD Rules

① A week's time may be allowed for intimating candidature

applying in writing to the returning officer in ~~the~~ form ~~A~~ hereto appended

10 (1) Preparation of list of eligible candidates - The returning officer shall, at 5 P.M. on the last day fixed for receiving applications for candidature, read out the names ~~of~~ ~~the~~ of all the candidates whose applications have been received and a list of such candidates shall forthwith be posted up under his signature in ~~the~~ the municipal office with a notice that objections, if any, to the candidature of the persons specified in the list will be heard and disposed of by him at 3 P.M. on the third working day after the date of the publication of the aforesaid notice. He shall hear objections, if any, and after such summary enquiry as he may deem necessary regarding such objections, he shall prepare a list of such persons as are considered by him to be eligible under the Act to stand for election and announce their names. If any name is rejected, the reason for such rejection

rejection shall be recorded ~~a list of~~

~~the candidates shall be posted up with~~

~~the rules, if any, framed under~~

~~rule (2) upon the notice board of~~ ~~the municipal office~~

(2) Assigning symbols to candidates - When the number of eligible candidates is more than the number of members to be elected the returning officer may assign to each candidate a symbol out of those approved from time to time by the Government in this behalf

~~provided that it shall not be necessary~~

~~to assign symbols in the case of constituencies in which all the voters are literate~~

(3) Publication of list of eligible candidates, etc - A list of eligible candidates with the symbols ~~if any~~ assigned under sub-rule (2) shall be published with the least practicable delay under the signature of the returning officer in ~~his office~~ the municipal office

11. Omission of names of candidates - If, before the poll has commenced, a person

person whose candidature has been published under sub-rule (7) of rule 10 withdraws his candidature or dies or if the returning officer is satisfied, after affording an opportunity to hear the candidate that he is disqualified to be a candidate or that the declaration made in his application is not true, the returning officer shall remove the name of such candidate from the ~~voting list~~ paper

11 Display of list of candidates - On the day of election the list of candidates and the symbols assigned for them shall be displayed prominently at ~~the~~ each polling station for the information of the voters

Conduct of Elections

12 ~~13~~ When the number of candidates ~~nominated~~ does not exceed the number of vacancies, the ~~nominated~~ candidate or candidates may be declared by the Returning Officer elected without any votes being recorded For purposes of Rule 27 of these rules such candidates shall be considered to have got the highest number of votes

13 ~~14~~ If more candidates than there are vacancies ~~have been validly nominated~~, votes shall be taken in accordance with the procedure prescribed in the following rules

14 ~~15~~ The Returning Officer shall appoint one or more Polling Officers to preside at each polling station with as many assistants as he thinks necessary The said officer shall also appoint one or more identifying Officers at each polling station to assist the Polling Officer in identifying the voters

15 ~~16~~ (1) On the morning of the election day the Polling Officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers ~~an Election Roll~~ and a bound book or books of voting papers serially numbered in foil and counterfoil one voting paper for each voter ~~in the Election Roll~~ in the list of voters

(2) The Returning Officer may give such special directions as may be necessary for the provision of ballot boxes cubicles or screens and other matters of detail

14 The Presiding Officer shall arrange for every polling station a separate compartment in which each voter may vote screened off from others

17 18 (1) The voting paper shall be ~~in the form~~ printed in Form B hereto appended and shall contain the names of all the candidates

(2) If, before the poll has commenced a person whose candidature has been published under rule 10 withdraws his candidature or dies, or if the returning officer is satisfied after affording an opportunity to hear the candidate that he is disqualified to be a candidate or that the declaration made in his application is not true the returning officer shall remove his name from the voting paper

(Vide rule 19 (2) (b) (iv))

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18 19 Specimen voting papers shall be posted outside the polling booths for the guidance of voters at least 48 hours before the election commences

19 20 (1) On the day of the election the Polling Officer shall admit to the ante room of the polling booth the candidates ~~and such agents as may be selected by the candidates to assist in the identification of voters provided that there shall be present at one time in addition to the candidates not more than one agent of each candidate~~ whose names are entered in the list and such persons (if any) as may be admissible under special directions given by the Returning Officer in this behalf shall be admitted to the polling booth

(2) Besides candidates ~~and their agents~~, only voters ~~attendants of voters admitted under rule 20 (vi)~~

20 21 The candidates ~~and their agents~~ shall not speak to or address any intending voter in the ante room but may only address to the Polling Officer objections to a voter on the following three grounds —

First —That his name is not on the list of voters of the division in respect of which the election is being held

Second —That his claim to be a particular voter shown on the list of voters is false

Third —That he has already voted

Any person breaking this rule may be expelled from the ante room by the Polling Officer and shall not be re admitted during the election

21 22 The procedure for recording each voter's vote shall be as follows —

The vote shall be given by ballot and

(i) Every voter may vote for as many candidates as there are councillors to be elected for the Division

(ii) There shall be no voting by proxy

(iii) As each intending voter enters the ante room his name and his number in the ~~election roll~~ voters list shall be announced so that all present can hear them

(iv) The Polling Officer shall dispose of any objections raised by candidates ~~and their agents~~ and, when satisfied that the intending voter is entitled to vote and has not yet voted shall initial the foil of a voting paper and after taking the voter's signature or mark on the counterfoil and endorsing the paper across the junction of foil and counterfoil with a seal give the foil to the voter and admit him to the polling room

(v) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote, shall return the paper folded up to the Polling Officer who shall forthwith in the voter's presence place it in the sealed box and pass the voter out of the polling room

(vi) On the request of a voter who through blindness illiteracy or any other cause is incapable of recording his vote for himself the Polling Officer shall permit an attendant to take the voter into the polling booth and record his vote for him.

22 23 It shall be the duty of the Polling Officers and their assistants to see that votes are recorded with absolute secrecy that only such persons as may be admitted to the polling booth under these rules are admitted thereto and that persons who have recorded their votes or against whom objections have been heard and disposed of leave immediately It shall also be their duty to see that these rules and any special directions given by the Returning Officer thereunder are strictly observed in all respects

23 24 On the conclusion of the poll the Polling Officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the Returning Officer or some one appointed by the said officer to take charge of it till the votes are counted The Polling Officer shall seal up the book of counterfoils and unused foils and keep it sealed in his own custody till it is destroyed under rule 31 30

Determination of Results of Elections

24 25 The ballot box shall be opened and the votes counted at a special general meeting of the Municipal Council by three scrutinisers appointed for this purpose at the meeting

In the case of a new Municipality the box shall be opened in the presence of the Returning Officer by three scrutinisers appointed by the Deputy Commissioner

25 26 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid.

26 27 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy the selection of one such candidate shall be made by lot by the Chairman of the aforesaid meeting in such manner as the Municipal Council at such meeting shall determine or by the Returning Officer in the case of a new Municipality

27 28 Whenever one and the same person gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the result of election, the Deputy Commissioner shall declare him to have been elected for one such division In such cases the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions In the event of there being no such candidate in any such division a fresh election shall be held for the same

28 29 The result of the election shall be declared by the Chairman of the meeting or the Returning Officer as the case may be and shall be recorded in the minutes of the proceedings of the meeting

Custody and Destruction of Voting Papers

29 30 When the voting papers have been scrutinised they shall forthwith be replaced in the ballot boxes from which they were taken and these boxes after being locked and sealed with the Municipal seal or in the case of a new Municipality with the seal of the Returning Officer shall be kept by the President of the Municipal Council or in the case of a new Municipality by such officer as may be appointed by the Deputy Commissioner for this purpose in safe custody

30 31 On the expiry of fifteen days from the date of the declaration of the result of the election, or if any application regarding the election is made to the District Judge under Section 28 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days then whenever such application has been finally disposed of the voting papers including both those in the ballot box and those in the sealed book in the Polling Officer's custody shall be destroyed in the presence of such councillor or officer as the Municipal Council appoints for this purpose

Report of result of election

30 ... name of person ... to ... been elected under rules 12 and 28 ... be communicated with the least practicable delay to the Deputy commissioner who shall notify the same to the returning officer for ... not filed in the prescribed manner along with the names of the nominated councillors

31 Power of Deputy commissioner to alter dates - The Deputy commissioner may, for sufficient reasons, ... earlier the periods or alter the dates fixed for ... several stages of election in the case of any municipality ... before in rules

(+) In another Section proposed to delegate the power of nomination to Govt. Kindly refer to rules framed in accordance with that proposal, as the nominations need not come up before us

Rule 31 to be deleted

13/7/32

24/7

13

14

Form A
(Reference to rule 4)

~~Form of~~ Application for candidature

~~[(A) Reference to rule 4]~~

Name of constituency for which the candidate intends to stand for election

---

Name of candidate

Father's name

Age

Address

Number of the candidate in the electoral roll

Declaration by the candidate

I hereby declare that the information furnished above is true and that I possess all the qualifications necessary for election to the municipal council and that I am not subject to any of the disqualifications specified in the Bombay Municipal Boroughs Regulation, 1933 ~~[or the rules]~~ thereunder to be a candidate

Signature of candidate

14 Dec - - -

15

FORM B

(REFERRED TO IN RULE 17)

Counterfoil

Voting paper No

Voter's number on ~~Election Roll~~ the Voters List

Voter's signature or thumb impression

Foil

Voting paper No

Serial No	Candidate's name	Candidate's symbol	Voter's mark
1			
2			
3			
4			
5			
6			
7			
8			

(1) The number of members to be elected is

(2) Place a cross mark thus × against the ~~candidate~~ / each of the candidates for whom you wish to vote

(3) The mark should be placed against not more than ~~one~~ / ~~names~~ Name / Names

15

(v) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote shall return the paper folded up to the Polling Officer who shall forthwith in the voter's presence place it in the sealed box and pass the voter out of the polling room

(vi) On the request of a voter who through blindness illiteracy or any other cause is incapable of recording his vote for himself the Polling Officer shall permit an attendant to take the voter into the polling booth and record his vote for him

23 It shall be the duty of the Polling Officers and their assistants to see that votes are recorded with absolute secrecy that only such persons as may be admitted to the polling booth under these rules are admitted thereto and that persons who have recorded their votes or against whom objections have been heard and disposed of leave immediately It shall also be their duty to see that these rules and any special directions given by the Returning Officer thereunder are strictly observed in all respects

24 On the conclusion of the poll the Polling Officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the Returning Officer or some one appointed by the said officer to take charge of it till the votes are counted The Polling Officer shall seal up the book of counterfoils and unused foils and keep it sealed in his own custody till it is destroyed under rule 31

Determination of Results of Elections

25 The ballot box shall be opened and the votes counted at a special general meeting of the Municipal Council by three scrutineers appointed for this purpose at the meeting

In the case of a new Municipality the box shall be opened in the presence of the Returning Officer by three scrutinisers appointed by the Deputy Commissioner

26 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid

27 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy, the selection of one such candidate shall be made by lot by the Chairman of the aforesaid meeting in such manner as the Municipal Council at such meeting shall determine or by the Returning Officer in the case of a new Municipality

28 Whenever one and the same person gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the result of election, the Deputy Commissioner shall declare him to have been elected for one such division In such cases the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions In the event of there being no such candidate in any such division a fresh election shall be held for the same

29 The result of the election shall be declared by the Chairman of the meeting or the Returning Officer as the case may be and shall be recorded in the minutes of the proceedings of the meeting

Custody and Destruction of Voting Papers

30 When the voting papers have been scrutinised they shall forthwith be replaced in the ballot boxes from which they were taken and these boxes after being locked and sealed with the Municipal seal or in the case of a new Municipality with the seal of the Returning Officer shall be kept by the President of the Municipal Council or in the case of a new Municipality by such officer as may be appointed by the Deputy Commissioner for this purpose in safe custody

31 On the expiry of fifteen days from the date of the declaration of the result of the election or if any application regarding the election is made to the District Judge under Section 20 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days then whenever such application has been finally disposed of the voting papers including both those in the ballot box and those in the sealed book in the Polling Officer's custody shall be destroyed in the presence of such councillor or officer as the Municipal Council appoints for this purpose

Report of Results of Elections

32 The names of persons declared to have been elected under Rules 13 and 29 shall be communicated with the least practicable delay through the Deputy Commissioner for being notified in the *Mysore Gazette*

Casual Vacancies

33 On a vacancy occurring in the Municipal Council between two general elections the Returning Officer shall fix a date as soon as conveniently may be for the holding of the election to fill the vacancy. The above rules shall apply with such modifications as may be necessary to such bye elections

AN

Proof corrected returned here 16/8/33

NOTIFICATION

In supersession of the rules in force on the subject and in exercise of the powers vested ~~in them by and~~ under ~~the provisions of~~ sections 6 (3) (a) and 106 (2) (b) of the Mysore Minor Municipalities Regulation 1933 and all other powers in this behalf the following rules for regulating the election of members to the Municipal councils in minor municipalities are made by the Government —

~~By Order~~

~~General Secretary to Government~~

Definitions

1 In these rules

(1) The Deputy Commissioner means the Deputy Commissioner of the District in which the municipality in question is situated and includes an Assistant Commissioner to whom the Deputy Commissioner may delegate as he is hereby empowered to delegate any of his powers or duties under these rules

(2) The Regulation means the Mysore Minor Municipalities Regulation 1933

(3) Returning Officer means in respect of the municipality or municipalities entered in the first column of the table given below the person mentioned in the second column of the said table

TABLE

Municipality	*Returning Officer*
Minor municipalities having official presidents	The president of the municipal council concerned
Every other minor municipality	A person appointed by the Deputy Commissioner of the District

Divisions and Elective Councillors

2 (1) The Deputy Commissioner may in accordance with such instructions if any as may be issued from time to time by the Government in this behalf divide the municipality for electoral purposes into as many divisions as may be necessary the boundaries of which shall be clearly defined and when such a division has been made he shall fix the number of councillors to be elected in each division so that every division shall be adequately represented by election

(2) The divisions into which the minor municipalities are at present divided for electoral purposes and the number of elective councillors at present apportioned over the several divisions therein shall be deemed to have been fixed and apportioned under sub rule (1)

(3) The Deputy Commissioner may subject to the orders if any issued by the Government from time to time alter the number and boundaries of the divisions and vary the number of councillors to be elected by each division

List of Voters

3 (1) The returning officer shall not less than one month prior to the date on which an election is to be held prepare a list of persons entitled to vote under section 7 of the Regulation

(2) If the municipality has been divided for electoral purposes into divisions such list shall show the persons entitled to vote in each division separately

4 (1) A copy of the list so prepared shall be published by affixing a copy thereof —

(*a*) in Kannada and

(*b*) if the Returning Officer so directs in English also at the municipal office in the Taluk office if any within municipal limits and in such other conspicuous places in the municipality as the said officer may consider suitable

(2) When the list has been so published the returning Officer shall by beat of tom tom and printed hand bills give public notice thereof and of the places where the list or a copy thereof may be inspected as also of the fact that any person entitled under rule 7 to prefer an objection o claim may apply in writing to the returning officer for the amendment of the list

(3) A copy of the hand bill shall also be published both in Kannada and English in the *Mysore Gazette* and copies thereof shall be affixed in the municipal office and in the office of the Amildar or the Deputy Amildar of the Taluk within which the municipality is situated

5 Each voter shall be entitled to vote in the division in which he resides

6 No person shall vote in more than one division

Revision of list

7 (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein may apply in writing within a week from the date of publication of the list to the Returning Officer for the amendment thereof

(2) The returning Officer shall hear and decide any objection to the claims and objections received under Sub rule 1 The decision of the returning officer on the claims and objections put forward shall be final and the returning officer shall keep a record of his decision with brief reasons therefor and communicate the substance of his decision to the parties concerned and the municipal council

(3) Any additions to or omissions from or corrections in the list which the Returning Officer discovers to be necessary otherwise than on the application of any person interested therein shall also be made by him

Publication and custody of list of voters

8 (1) The list of voters shall be amended in accordance with the decision of the returning officer and a copy thereof signed by the returning Officer shall be kept in safe custody in he municipal office

(2) A copy of the list as amended shall be published in the manner prescribed in rule 4 within a fortnight from the date of first publication of the list of voters under rule 4 (1) *supra*

Publication of date place, etc of election

9 At least one month before the date fixed for election the returning officer shall publish in the manner prescribed in rule 4 a notice containing the following particulars —

(1) the date place and hour of election and

(2) the latest date for the receipt of applications for candidature

Intimation of Candidature —Every person who wishes to stand for election in any division shall within three days of the publication of the amended list under rule 8 (2) signify his intention by applying in writing to the returning officer in form hereto appended.

10 (1) *Preparation of list of eligible candidates* — The returning officer shall at 5 P M. on the last day fixed for receiving applications for candidature read out the names of all the candidates whose applications have been received and a list of such candidates shall forthwith be posted up under his signature in the municipal office with a notice that objections if any to the candidature of the persons specified in the list will be heard and disposed of by him at 3 P M on the third working day after the date of the publication of the aforesaid notice He shall hear objections if any and after such summary enquiry as he may deem necessary regarding such objections he shall prepare a list of such persons as are considered by him to be eligible under the foregoing rules to stand for election and announce their names If any name is rejected the reason for such rejection shall be recorded

(2) ~~*Assigning symbols to candidates*~~ —When the number of eligible candidates is more than the number of members to be elected the returning officer may assign to each candidate a symbol out of those approved from time to time by the Government in this behalf

(3) ~~*Publication of list of eligible candidates etc*~~ —A list of eligible candidates with the symbols if any assigned under sub rule (2) shall be published with the least practicable delay under the signature of the returning officer in the municipal office

11. *~~Display of list of candidates~~*—On the day of election the list of candidates and the symbols assigned for them shall be displayed prominently at each polling station for the information of the voters.

Conduct of Elections

12 When the number of candidates does not exceed the number of vacancies the candidate or candidates may be declared by the Returning Officer elected without any votes being recorded For purposes of rule 27 of these rules such candidates shall be considered to have got the highest number of votes

13 If there are more candidates than there are vacancies votes shall be taken in accordance with the procedure prescribed in the following rules

14 The Returning Officer shall fix a polling station for each division and at each polling booth a separate ballot box properly screened off from others shall be kept so that *purdah women* may vote separately

15 The Returning Officer shall appoint one or more polling officers to preside at each polling station with as many assistants as he thinks necessary The said officer shall also appoint one or more identifying officers at each polling station to assist the polling officer in identifying the voters

16 (1) On the morning of the election day the polling officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers a list of voters and a bound book or books of voting papers serially numbered in foil and counterfoil one voting paper for each voter in the list of voters

(2) The Returning Officer may give such special directions as may be necessary for the provision of ballot boxes curtains screens and other matters of detail

17 (1) The voting paper shall be printed in Form B hereto appended and shall contain the names of all the candidates

(2) If before the poll has commenced a person whose candidature has been published under rule 16 withdraws his candidature or dies or if the returning officer is satisfied after affording opportunity to hear the candidate that he is disqualified to be a candidate or that the declaration made in his application is not true the returning officer shall remove his name from the voting paper

18 Specimen voting papers shall be posted outside the polling booths for the guidance of voters at least 48 hours before the election commences

19 (1) On the day of the election the polling officer shall admit to the ante room of the polling booth the candidates whose names are displayed under rule 11

(2) Beside candidates, only voters, and such persons (if any) as may be admissible under special directions given by the returning officer in this behalf shall be admitted to the polling booth

20 The candidates shall not speak to or address any intending voter in the ante room but may only address to the polling officer objections to a voter on the following three grounds —

First —That his name is not on the list of voters of the division in respect of which the election is being held

Second —That his claim to be a particular voter shown on the list of voters is false

Third —That he has already voted

Any person breaking this rule may be expelled from the ante room by the polling officer and shall not be re admitted during the election.

21 The procedure for recording each voter's vote shall be as follows —

(i) The vote shall be given by ballot, and

(ii) Every voter may vote for as many candidates as there are councillors to be elected for the division

(iii) There shall be no voting by proxy

(iv) As each intending voter enters the ante room his name and his number in the voter's list shall be announced so that all present can hear them

(v) The polling officer shall dispose of any objections raised by candidates and when satisfied that the intending voter is entitled to vote and has not yet voted shall initial the foil of a voting paper and after taking the voter's signature or mark on the counterfoil, and endorsing the paper across the junction of foil and counterfoil with a seal give the foil to the voter and admit him to the polling room

(v) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote folding and after closing the voting paper put it into the ballot box

(vi) If a voter through blindness illiteracy or any other cause is incapable of recording his vote for himself the polling officer shall assist him if so desired in marking the vote on the voting paper and putting the voting papers into the ballot box and a record of the same shall be made on the voting paper and attested by the polling officer

22 It shall be the duty of the polling officers and their assistants to see that votes are recorded with absolute secrecy that only such persons as may be admitted to the polling booth under these rules are admitted thereto and that persons who have recorded their votes or against whom objections have been heard and disposed of leave immediately It shall also be their duty to see that these rules and any special directions given by the returning officer thereunder are strictly observed in all respects

23 On the conclusion of the poll the polling officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the returning officer or some one appointed by the said officer to take charge of it sealed till the votes are counted The polling officer shall seal up the book of counterfoils and unused foils and keep it sealed in his own custody till it is destroyed under rule 30

Determination of results of elections

24 The ballot box shall be opened and the votes counted at a special general meeting of the municipal council by three scrutineers appointed for this purpose at the meeting

In the case of a new municipality the box shall be opened in the presence of the returning officer by three scrutineers appointed by the Deputy Commissioner

25 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid

26 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy the selection of one such candidate shall be made by lot by the chairman of the aforesaid meeting in such manner as the municipal council at such meeting shall determine or by the returning officer in the case of a new municipality

27 Whenever one and the same p r on gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the result of election the Deputy Commissioner shall declare him to have been elected for one such division In such cases the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions In the event of there being no such candidate in any such division, a fresh election shall be held for the same

28 The result of the election shall be declared by the chairman of the meeting or the returning officer as the case may be and shall be recorded in the minutes of the proceedings of the meeting

Custody and Destruction of Voting Papers

29 When the voting papers have been scrutinised they shall forthwith be replaced in the ballot boxes from which they were taken and these boxes after being locked and sealed with the municipal seal or in the case of a new municipality with the seal of the returning officer, shall be kept by the president of the municipal council or in the case of a new municipality by such officer as may be appointed by the Deputy Commissioner for this purpose in safe custody

30 On the expiry of fifteen days from the date of the declaration of the result of the election or if any application regarding the election is made to the Munsiff under section 11 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days then whenever such application has been finally disposed of the voting papers including both tho e in the ballot box and those in the sealed book in the pol ling officer s custody shall be destroyed in the presence of such councillor or officer as the municipal council appoints for this purpose

Report of results of election

31 The names of persons declared to have been elected under rules 12 and 28 shall be communicated with the least practicable delay to the Deputy Commissioner who shall notify the same in the *Mysore Gazette* along with the names of the nominated Councillors

32 *Power of Deputy Commissioner to alter dates* — The Deputy Commissioner may for sufficient reasons enlarge the periods or alter the dates fixed for the several stages of election in the case of any Municipality under the foregoing rules

FORM A

(REFERRED TO IN RULE 8)

Application for candidature

Name of ~~constituency~~ for which the candidate intends to stand for election	
Name of candidate	
Father's name	
Age	
Address	
Number of the candidate in the ~~electoral roll~~ voters list	

Date Signature of the candidate

Declaration by the Candidate

I hereby declare that the information furnished above is true and that I possess all the qualifications necessary for election to the municipal council and that I am not subject to any of the disqualifications specified in the Mysore Minor Municipalities Regulation, 1933 there under to be a candidate

Date Signature of candidate

FORM B

(REFERRED TO IN RULE 17)

Counterfoil

Voting Paper No

Voter s number on the Voters' List

Voter s s gnature or thumb impression

Foil

Voting paper No

Serial No	Candidate s name	Candi date s symbol	Voter s mark
1			
2			
3			
4			
5			
6			
7			
8			

(1) The number of members to be elected is

(2) Place a cross mark thus × against the candidate for whom you each of the candidates wish to vote

(3) The mark should be placed against not more than name / names

Rules superseded

MUNICIPAL AND LOCAL BOARDS

No L 732)—Ml 41 30 123 dated 9th March 1931

In exercise of the powers conferred by Section II (c) of the Mysore Municipal Regulation 1906 as amended from time to time and in supersession of the election rules of the Minor Municipal Councils issued under Notification No 600 Ml 57 18 1 dated the 8th July 1918 as amended from time to time the following rules are made by the Government for the regulation of elections in Minor Municipalities in the State

By Order
R RANGA RAO
General Secretary to Government

Definitions

1 In these rules

(1) The Deputy Commissioner means the Deputy Commissioner of the District in which the Municipality in question is situated and includes an Assistant Commissioner to whom the Deputy Commissioner may delegate as he is hereby empowered to delegate any of his powers or duties under these rules

(2) The Regulation means the Mysore Municipal Regulation 1906 as amended from time to time

(3) Returning Officer means in respect of the Municipality or Municipalities entered in the first column of the table given below the person mentioned in the second column of the said table

TABLE

Municipality	*Returning Officer*
Minor Municipalities having Official Presidents	The President of the Municipal Council concerned
Every other Minor Municipality	A person appointed by the Deputy Commissioner of the District

Division and Elective Councillors

2 (1) The Deputy Commissioner may with the previous approval of Government, divide the Municipality for electoral purposes into as many Divisions as may be necessary the boundaries of which shall be clearly defined and when such a division has been made shall apportion the number of Elective Councillors over the said divisions in the proportion as nearly as may be of the population thereof

(2) The Divisions into which the Minor Municipalities are at present divided for electoral purposes and the number of Elective Councillors at present apportioned over the several divisions therein shall be deemed to have been fixed and apportioned under sub rule (1)

(3) The Deputy Commissioner may with the previous approval of the Government alter from time to time the number and boundaries of the Divisions and re apportion the number of Elective Councillors among the Divisions

List of Voters

3 (1) The Returning Officer shall not less than four months prior to the date on which the term of office of the Municipal Councillors will expire and on the corresponding date in each subsequent year prepare a list of voters

(2) If the Municipality has been divided for electoral purposes into Divisions such lists shall show the persons entitled to vote in each Division separately

4 (1) A copy of the list so prepared shall be published by affixing a copy thereof

(*a*) in Kannada and

(*b*) if the Returning Officer so directs in English also at the Municipal Office in the Taluk Office if any within Municipal limits and in such other conspicuous places in the Municipality as the said Officer may consider suitable

(2) When the list has been so published the Returning Officer shall by beat of tom tom and printed hand bills give public notice thereof and of the places where the list or a copy thereof may be inspected also of the fact that any person entitled under rule 6 to prefer an objection or claim may apply in writing to the Returning Officer for the amendment of the list

(3) A copy of the hand bill shall also be published both in Kannada and English in the *Mysore Gazette* and copies thereof shall be affixed in the Municipal Office and in the Office of the Amildar or the Deputy Amildar of the Taluk within which the Municipality is situated

Additional Qualifications of Voters

5 In addition to the persons declared by Section 12 of the Regulation to be qualified to be entered in the list of voters the following persons whether of the male or female sex shall unless disqualified under Section 21 of the Regulation on account of age be qualified to have their names entered in the list of voters *viz* —

(*a*) Pleaders holding sannads from the Chief Court of Mysore
(*b*) Persons upon whom titles have been conferred by the Government of India or by His Highness the Maharaja of Mysore
(*c*) Persons in receipt of a pension of not less than Rs per mensem from Government or from any public body or corporation or company registered as aforesaid
(*d*) Officiating hereditary patels and shanbhog not engaged in the collection of taxes for the Municipal Council
(*e*) Registered holders of lands assessed (or in the case of alienated lands would be assessed if not alienated) to land revenue at an amount not less than two rupees
(*f*) Persons assessed in the previous year to income tax
(*g*) Persons who on the 1st day of July next preceding the date of publication of the Municipal Election Roll occupied for the purpose of dwelling or for purpose of any trade business or profession—

(1) a house or building
(2) part of a house or building

which is separately assessed to a tax of two rupees

} Who for a period of not less than six months next preceding the date on which the list of voters is required by the rules to be prepared or revised have been resident in the Municipality

Manner of voting in particular cases

6 (1) When any qualification prescribed by clause ( ) of Section 12 of the Regulation is possessed by an undivided family or a company or firm or any other association or body of individuals or the trustees being two or more in number of any building or land then the manager or the senior member of such family or any one individual person duly authorised in this behalf by the members of such family or company or firm or association or body of individuals or trustees upon an application in writing which he shall give within a fortnight from the date of the publication of the list of voters to the Returning Officer shall unless he is disqualified by Section 21 of the Regulation on account of age be qualified to have his name entered in the list of voters on behalf of such family or company or firm or association or body of individuals or trustees

(2) If no individual person applies in accordance with sub rule (1) to have his name entered in the list as the representative of such undivided family or any company or firm or association or body of individuals or any trustees the Municipal Council may determine which individual person shall be entitled to represent such family or company or firm or association or body of individuals or trustees and shall enter his name in the list as the person qualified to vote on behalf thereof

(3) If any person is entitled to vote not only in his individual capacity but also as representative of such family or company or firm or association or body of individuals or trustees his name shall be entered in the said list as if he were entitled to vote separately in each of such capacities

(4) Except in the case mentioned in sub rule (3) no person shall be entitled to more than one vote by reason of being qualified under two or more of the tests of qualifications prescribed by Rule 5 of Section 12 of the Regulation

Division in which vote to be given

7 Each voter shall be entitled to vote in the Division in which he resides or in the case of a qualification arising from being assessed to Municipal taxes in the Division in which he is assessed

Provided that

(*a*) No person shall be entitled to vote in more than one Division

(*b*) Any person possessing the qualifications of a voter in connection with more than one Division shall be at liberty to choose for which of such Divisions he shall be entitled to vote and failing his doing so within a week after public notice has been given calling upon all such persons to make their choice shall be entitled to vote in such Division as the Returning Officer shall determine

(*c*) A person shall be entitled to vote only in a division for which his name is entered in the election roll

Revision of List and Appeals

8 (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein, may apply in writing within a fortnight from the date of publication of the list to the Returning Officer for the amendment thereof

(2) The Returning Officer shall forthwith forward every such application with his report thereon for the decision of the Municipal Council

(3) The said officer may also bring to the notice of the Municipal Council within a fortnight from the date of the publication of the list any additions to or omissions from or corrections in the list which he shall discover to be necessary otherwise than on the application of any person interested therein.

(4) Notice of every application under sub rule (1) and of every reference under sub rule (3) shall be given by the Municipal Council receiving the same to any person affected thereby and the Municipal Council at its next meeting shall consider and pass orders on such application or reference A copy of every order so passed upon an application shall without delay be communicated to the person by whom the application was made and a copy of every order whether upon an application or reference shall without delay be communicated to any person whose name is thereby ordered to be removed from the list of voters The powers of the Municipal Council under Sub rules (2) (3) and (4) shall in the case of a new Municipality be exercised by such officer as may be appointed by the Deputy Commissioner in this behalf

(5) An appeal shall lie to the Deputy Commissioner from the decision of a Municipal Council or officer as the case may be under sub rule (4) but the Deputy Commissioner may decline to entertain any appeal which is not presented within ten days from the date when the decision is communicated to the appellant Every order passed by the Deputy Commissioner under this rule shall be final

Publication and Custody of Election Roll

9 (1) The list of voters shall be amended in accordance with the decision of the Municipal Council the Deputy Commissioner or the Officer as the case may be and a copy thereof signed by the Returning Officer shall be the Municipal Election Roll

(2) The Municipal Election Roll shall be published in the manner prescribed in rule 4 within a month and a half from the date of publication of the list of voters

(3) Every such Election Roll shall be entered in a book each page of which shall be signed by the officer aforesaid and sealed with the common seal of the Municipal Council The said book shall be kept in the Municipal chest or safe under lock and key and the officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book

Additional Qualifications of Candidates

10 (1) In addition to person declared by Section 12 of the Regulation to be qualified to be candidates and subject to the provisions of Section 13 and to the disqualifications mentioned in Section 15 and sub section (3) and (6) of Section 23 of the Regulation every person who is qualified to vote and who for a period of not less than six months next preceding the date on which the list of voters is required to be prepared or revised in the Municipality for election purposes has been resident in the Municipality shall be qualified to be a candidate

(2) Any person whose name is entered in the Election Roll as entitled to vote in one division may (if duly qualified) be a candidate for election either in the division for which his name is so entered or in any other division

Time and Place for Elections

11 General Municipal Elections shall be held on such dates between such hours and at such place or places as may be fixed by the Returning Officer Written notice of such election shall be given and published in English or in Kannada or both as the said officer may direct not less than fifteen days before the date fixed for the election Copies of the notice shall be affixed at the Municipal Office and at such other conspicuous place or places within the Municipality as the Returning Officer appoints for this purpose

Nomination of Candidates

12 (1) No person may be a candidate for a councillorship unless he has been nominated in writing for this purpose by two persons entered to vote in the same division in which the candidate wishes to be elected The nomination paper shall bear an endorsement signed by the nominee signifying his willingness to serve and shall be delivered to the Returning Officer at least seven days before the date fixed for the election

(2) The said officer shall where any nomination pape is prepar d and delivered to him in accordance with sub rule (1) if the nominators establish to his satisfaction that they are entitled to vote at the election and that the nominee is qualified as a candidate enter the nominee s name in a list of candidates which shall be prepared under his signature and posted at the Municipal Office and at the place at which the election is to be held and in other conspicuous places at lea t five days before the date fixed for the election

(3) When elections are to be held at or about the same time in two or more divisions one and the same person may be nominated for election in all or any number of the said divi ions

Conduct of Elections

13 When the numb r of candidates nominated does not exceed the number of vacancies the nominated candidate or candidates may be declared by the Returning Officer elected without any votes being recorded For purposes of Rule 28 of these rul s such candidates shall be considered to have got the highest number of votes

14 If more candidates than th re are vacancies have been validly nominated votes shall be taken in accordance with the procedure prescribed in the following rules —

15 The Returning Officer shall appoint one or more Polling Officers to preside at each polling station with as many assistants as he thinks necessary The said office r shall also appoint one or more identifying Officer at each polling station to assist the Polling Officer in identifying the voters

16 (1) On the morning of the election day the Polling Officer shall be supplied with a sealed box provided with an aperture for receipt of voting papers an Election Roll and a bound book or books of voting papers serially numbered in foil and counterfoil one voting paper for each voter in the Election Roll

(2) The Returning Officer may give such special directions as may be necessary for the provision of ballot boxes cubicles or screens and other matters of detail

17 (1) The voting paper shall be print d in Form A hereto appended and shall contain the names of all the candidates

(2) The name of any candidate who may have withdrawn his candidature shall be scored out by the Returning Officer or by the Polling Officer under the Returning Officer s orders

18 Every candidate who on or before the date of his nomination, supplies the Returning Officer at his own expense with a blo k depicting such symbol as he may with the said officer s approval adopt for the guidance of voters shall be entitled to have the same printed in column 3 of the voting paper

19 Specimen voting papers shall be posted outside the polling booth for the guidance of voters at least 48 hours before the election commences

20 (1) On the day of the election the Polling Officer shall admit to the ante room of the polling booth the candidates and such agents as may be selected by the candidates to assist in the identification of voters provided that there shall be present at one time in addition to the candidates not more than one agent of each candidate

(2) Besides candidates and their agents only voters attendants of voters admitted under rule 22 (vi) and such persons (if any) as may be admi sible under special directions given by the Returning Officer in this behalf shall be admitted to the polling booth

21 The candidates and their agents shall not speak to or address any intending voter in the ante room but may only address to the Polling Officer objections to a voter on the following three grounds —

First —That his name is not on the list of voters of the division in respect of which the election is being held

Second —That his claim to be a particular voter shown on the list of voters is false

Third —That he has already voted

Any person breaking this rule may be expelled from the ante room by the Polling Officer and shall not be re admitted during the election

22 The procedure for recording each voter s vote shall be as follows —

The vote shall be given by ballot and

(*i*) Every voter may vote for as many candidates as there are councillors to be elected for the Division

(*ii*) There shall be no voting by proxy

(*iii*) As each intending voter enters the ante room his name and his number in the election roll shall be announced so that all present can hear them

(*iv*) The Polling Officer shall dispo e of any objections raised by candidates and their agents and, when satisfied that the intending voter is entitled to vote and has not yet voted shall initial the foil of a voting paper and after taking the voter s signature or mark on the counterfoil and endorsing the paper across the junct on of foil and counterfoil with a seal give th foil to the voter and admit him to the polling room

(v) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote shall return the paper folded up to the Polling Officer, who shall forthwith in the voter's presence place it in the sealed box and pass the voter out of the polling room

(vi) On the request of a voter who through blindness illiteracy or any other cause is incapable of recording his vote for himself the Polling Officer shall permit an attendant to take the voter into the polling booth and record his vote for him

23 It shall be the duty of the Polling Officers and their assistants to see that votes are recorded with absolute secrecy that only such persons as may be admitted to the polling booth under these rules are admitted thereto and that persons who have recorded their votes or against whom objections have been heard and disposed of leave immediately It shall also be their duty to see that these rules and any special directions given by the Returning Officer thereunder are strictly observed in all respects

24. On the conclusion of the poll the Polling Officer shall seal up the aperture of the sealed box and forthwith deliver the box for safe custody to the Returning Officer or some one appointed by the said officer to take charge of it till the votes are counted The Polling Officer shall seal up the book of counterfoils and unused foils and keep it sealed in his own custody till it is destroyed under rule 31

Determination of Results of Elections

25 The ballot box shall be opend and the votes counted at a special general meeting of the Municipal Council by three scrutineers appointed for this purpose at the meeting

In the case of a new Municipality the box shall be opened in the presince of the Returning Officer by three scrutinisers appointed by the Deputy Commissioner

26 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid

27 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy the selection of one such candidate shall be made by lot by the Chairman of the aforesaid meeting in such manner as the Municipal Council at such meeting shall determine or by the Returning Officer in the case of a new Municipality

28 Whenever one and the same person gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the result of election, the Deputy Commissioner shall declare him to have been elected for one such division In such cases the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions In the event of there being no such candidate in any such division a fresh election shall be held for the same

29 The result of the election shall be declared by the Chairman of the meeting or the Returning Officer as the case may be and shall be recorded in the minutes of the proceedings of the meeting

Custody and Destruction of Voting Papers

30 When the voting papers have been scrutinised they shall forthwith be replaced in the ballot boxes from which they were taken and these boxes after being locked and sealed with the Municipal seal or in the case of a new Municipality with the seal of the Returning Officer shall be kept by the President of the Municipal Council or in the case of a new Municipality by such officer as may be appointed by the Deputy Commissioner for this purpose in safe custody

31 On the expiry of fifteen days from the date of the declaration of the result of the election or if any application regarding the election is made to the District Judge under Section 22 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days then whenever such application has been finally disposed of the voting papers including both those in the ballot box and those in the sealed book in the Polling Officer's custody shall be destroyed in the presence of such councillor or officer as the Municipal Council appoints for this purpose

Report of Results of Elections

32 The names of persons declared to have been elected under Rules 13 and 29 shall be communicated with the least practicable delay through the Deputy Commissioner for being notified in the *Mysore Gazette*

Casual Vacancies

33 On a vacancy occurring in the Municipal Council between two general elections the Returning Officer shall fix a date as soon as conveniently may be for the holding of the election to fill the vacancy The above rules shall apply with such modifications as may be necessary to such bye elections

FORM A

(REFERRED TO IN RULE 17)

Counterfoil

Voting paper No

Voter s number on Election Roll

Voter s signature or thumb impression

Foil

Voting paper No

Serial No	Candidate s name	Candidate s symbol	Voter s mark
1			
2			
3			
4			
5			
6			
7			
8			

(1) The number of members to be elected is

(2) Place a cross mark thus × against the $\frac{\text{candidate}}{\text{each of the candidates}}$ for whom you wish to vote.

(3) The mark should be placed against not more than $\frac{\text{name}}{\text{names}}$

NOTIFICATION

No L 1399—Ml 91 33 1 dated 22nd August 1933

In supersession of the rules in force on the subject and in exercise of the powers vested under sections 6 (3) (a) and 106 (2) (b) of the Mysore Minor Municipalities Regulation 1933 and all other powers in this behalf the following rules for regulating the election of members to the municipal councils in minor municipalities are made by the Government —

Minor Municipal Election Rules

Definitions

1 In these rules

(1) The Deputy Commissioner means the Deputy Commissioner of the district in which the municipality in question is situated and includes an Assistant Commissioner to whom the Deputy Commissioner may delegate as he is hereby empowered to delegate any of his powers or duties under these rules

(2) The Regulation means the Mysore Minor Municipalities Regulation 1933

(3) Returning Officer means in respect of the municipality or municipalities entered in the first column of the table given below the person mentioned in the second column of the said table

TABLE

Municipality	*Returning Officer*
Minor municipalities having official presidents	The President of the municipal council concerned
Every other minor municipality	A person appointed by the Deputy Commissioner of the district

Divisions and elective councillors

2 (1) The Deputy Commissioner may in accordance with such instructions if any as may be issued from time to time by the Government in this behalf divide the municipality for electoral purposes into as many divisions as may be necessary the boundaries of which shall be clearly defined and when such a division has been made he shall fix the number of councillors to be elected in each division so that every division shall be adequately represented by election

(2) The divisions into which the minor municipalities are at present divided for electoral purposes and the number of elective councillors at present apportioned to the several divisions therein shall be deemed to have been fixed and apportioned under sub rule (1)

(3) The Deputy Commissioner may subject to the orders if any issued by the Government from time to time alter the number and boundaries of the divisions and vary the number of councillors to be elected by each division

List of Voters

3 (1) The Returning Officer shall not less than one month prior to the date on which an election is to be held prepare a list of persons entitled to vote under section 7 of the Regulation

(2) If the municipality has been divided for electoral purposes into divisions such list shall show the persons entitled to vote in each division separately

4 (1) A copy of the list so prepared shall be published by affixing a copy thereof —

(*a*) in Kannada and

(*b*) if the Returning Officer so directs in English also at the municipal office in the taluk office if any, within municipal limits and in such other conspicuous places in the municipality as the said officer may consider suitable

(2) When the list has been so published the Returning Officer shall by beat of tom tom and printed hand bills give public notice thereof and of the places where the list or a copy thereof may be inspected as also of the fact that any person entitled under rule 7 to prefer an objection or claim may apply in writing to the Returning Officer for the amendment of the list

(3) A copy of the hand bill shall also be published both in Kannada and English in the *Mysore Gazette* and copies thereof shall be affixed in the municipal office and in the office of the Amildar or the Deputy Amildar of the taluk within which the municipality is situated

5 Each voter shall be entitled to vote in the division in which he resides

6 No person shall vote in more than one division

Revision of list

7 (1) Any person whose name is not entered in the list of voters published as aforesaid and who deems that he is entitled to have his name entered therein and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein may apply in writing within a week from the date of publication of the list to the Returning Officer for the amendment thereof

(2) The Returning Officer shall hear and decide any objection to the claim and objections received under sub rule The decision of the Returning Officer on the claims and objections put forward shall be final and the Returning Officer shall keep a record of his decision with brief reasons therefor and communicate the substance of his decision to the parties concerned and the municipal council

(3 Any additions to or omissions from or corrections in the list which the Returning Officer discovers to be necessary otherwise than on the application of any person interested therein shall also be made by him

Publication and custody of list of voters

8 (1) The list of voters shall be amended in accordance with the decision of the Returning Officer and a copy thereof signed by the Returning Officer shall be kept in safe custody in he municipal office

(2) A copy of the list as amended shall be published in the manner prescribed in rule 4 within a fortnight from the date of first publication of the list of voters under rule 4 (1) *supra*

Publication of date place, etc of election

9 At least one month before the date fixed for election the Returning Officer shall publish in the manner prescribed in rule 4 a notice containing the following particulars —

(1) the date place and hour of election and

(2) the latest date for the receipt of applications for candidature

Intimation of Candidature

10 Every person who wishes to stand for election in any division shall within three days of the publication

of the amended list under rule 8 (2) signify his intention by applying in writing to the Returning Officer in Form A hereto appended

Preparation and publication of list of eligible candidates etc

11 The Returning Officer shall at 5 P M on the last day fixed for receiving applications for candidature read out the names of all the candidates whose applications have been received and a list of such candidates shall forthwith be posted up under his signature in the municipal office with a notice that objections if any to the candidature of the persons specified in the list will be heard and disposed of by him at 3 P M on the third working day after the date of the publication of the aforesaid notice He shall hear objections if any and after such summary enquiry as he may deem necessary regarding such objections he shall prepare a list of such persons as are considered by him to be eligible under the foregoing rules to stand for election and announce their names If any name is rejected the reason for such rejection shall be recorded

(2) When the number of eligible candidates is more than the number of members to be elected the Returning Officer may assign to each candidate a symbol out of those approved from time to time by the Government in this behalf

(3) A list of eligible candidates with the symbols if any assigned under sub rule (2) shall be published with the least practicable delay under the signature of the Returning Officer in the municipal office

(4) On the day of election the list of candidates and the symbols assigned for them shall be displayed prominently at each polling station for the information of the voters

Conduct of Elections

12 When the number of candidates does not exceed the number of vacancies the candidate or candidates may be declared by the Returning Officer elected without any votes being recorded For purposes of rule 27 of these rules such candidates shall be considered to have got the highest number of votes

13 If there are more candidates than there are vacancies votes shall be taken in accordance with the procedure prescribed in the following rules

14 The Returning Officer shall fix a polling station for each division and at each polling booth a separate ballot box properly screened off from others shall be kept so that purdah women may vote separately

15 The Returning Officer shall appoint one or more polling officers to preside at each polling station with as many assistants as he thinks necessary The said officer shall also appoint one or more identifying officers at each polling station to assist the polling officer in identifying the voters

16 (1) On the morning of the election day the polling officer shall be supplied with a sealed box provided with an aperture for receipt of voting paper a list of voters and a bound book or books of voting papers serially numbered in foil and counterfoil one voting paper for each voter in the list of voters

(2) The Returning Officer may give such special directions as may be necessary for the provision of ballot boxes cubicles or screens and other matters of detail

17 (1) The voting paper shall be printed in Form B hereto appended and shall contain the names of all the candidates

(2) If before the poll has commenced a person whose candidature has been published under rule 11 withdraws his candidature or dies or if the Returning Officer is satisfied after affording opportunity to hear the candidate that he is disqualified to be a candidate or that the declaration made in his application is not true the Returning Officer shall remove his name from the voting paper

18 Specimen voting papers shall be posted outside the polling booths for the guidance of voters at least 48 hours before the election commences

19 (1) On the day of the election the polling officer shall admit to the ante room of the polling booth the candidates whose names are displayed under rule 11(4)

(2) Beside candidates only voters and such persons (if any) as may be admissible under special directions given by the Returning Officer in this behalf shall be admitted to the polling booth

20 The candidates shall not speak to or address any intending voter in the ante room but may only address to the polling officer objections to a voter on the following three grounds —

First —That his name is not on the list of voters of the division in respect of which the election is being held

Second — That his claim to be a particular voter shown on the list of voters is false

Third That he has already voted

Any person breaking this rule may be expelled from the ante room by the polling officer and shall not be re admitted during the election

21 The procedure for recording each voter's vote shall be as follows —

(*i*) The vote shall be given by ballot

(*ii*) Every voter may vote for as many candidates as there are councillors to be elected for the division

(*iii*) There shall be no voting by proxy

(*iv*) As each intending voter enters the ante room his name and his number in the voter's list shall be announced so that all present can hear them

(*v*) The polling officer shall dispose of any objections raised by candidates and when satisfied that the intending voter is entitled to vote and has not yet voted shall initial the foil of a voting paper and after taking the voter's signature or mark on the counterfoil and endorsing the paper across the junction of foil and counterfoil with a seal give the foil to the voter and admit him to the polling room

(*vi*) The voter after making a cross in column 4 of the voting paper against the names of any candidates for whom he wishes to vote folding and after closing the voting paper put it into the ballot box

(*vii*) If a voter through blindness illiteracy or any other cause is incapable of recording his vote for himself the polling officer shall assist him if so desired in marking the vote on the voting paper and putting the voting papers into the ballot box and a record of the same shall be made on the voting paper and attested by the polling officer

22 It shall be the duty of the polling officers and their assistants to see that votes are recorded with absolute secrecy that only such persons as may be admitted to the polling booth under these rules are admitted thereto and that persons who have recorded their votes or against whom objections have been heard and disposed of leave immediately It shall also be their duty to see that these rules and any special directions given by the Returning Officer thereunder are strictly observed in all respects

23 On the conclusion of the poll the polling officer shall seal up the aperture of the sealed box and forthwith

deliver the box for safe custody to the Returning Officer or some one appointed by the said officer to take charge of it seal till the votes are counted The polling officer shall seal up the book of counterfoil and unused foils and keep it sealed in his own custody till it is de troyed under rule 30

Determination of results of elections

24 The ballot box shall be opened and the votes counted at a special general meeting of the municipal council by three scrutineers appointed for this purpose at the meetin

In the case of a new municipality the box shall be opened in the presence of the Returning Officer by three scrutineers appointed by the Deputy Commissioner

25 Any ballot paper on which votes are given to more candidates than there are councillors to be elected shall be invalid

26 If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy the selection of one such candidate shall be made by lot by the chairman of the aforesaid meeting in such manner as the municipal council at such meeting shall determine or by the Returning Officer in the case of a new municipality

27 Whenever one and the same person gets the highest number of votes in more than one division he will be at liberty to determine for which division he should be returned and in default of his doing so within 48 hours after the declaration of the result of election the Deputy Commissioner shall declare him to have been elected for one such division In such cases the candidates who have got the next highest number of votes in the several remaining divisions will be taken to have been elected for those divisions In the event of there being no such candidate in any such division a fresh election shall be held for the same

28 The result of the election shall be declared by the chairman of the meeting or the Returning Officer as the case may be and shall be recorded in the minutes of the proceedings of the meeting

Custody and destruction of voting papers

29 When the voting papers have been scrutinised they shall forthwith be replaced in the ballot boxes from

which they were taken and these boxes after being locked and sealed with the municipal seal or in the case of a new municipality with the seal of the Returning Officer shall be kept by the President of the municipal council or in the case of a new municipality by such officer as may be appointed by the Deputy Commissioner for this purpose in safe custody

30 On the expiry of fifteen days from the date of the declaration of the result of the election or if any application regarding the election is made to the Munsiff under section 11 of the Regulation and such application is not finally disposed of before the expiry of the said fifteen days then whenever such application has been finally disposed of the voting papers including both those in the ballot box and those in the sealed book in the polling officer's custody shall be destroyed in the presence of such councillor or officer as the municipal council appoints for this purpose

Report of results of elections

31 The names of persons declared to have been elected under rules 12 and 28 shall be communicated with the least practicable delay to the Deputy Commissioner who shall notify the same in the *Mysore Gazette* along with the names of the nominated Councillors

32 *Power of Deputy Commissioner to alter dates* The Deputy Commissioner may for sufficient reasons enlarge the periods or alter the date fixed for the several stages of election in the case of any municipality under the foregoing rules

By Order

H V RAMASVAMI

General Secretary to Government

FORM A

(REFERRED TO IN RULE 10)

Application for candidature

Name of division for which the candidate intends to stand for election	
Name of candidate	
Father's name	
Age	
Address	
Number of the candidate in the Voters list	

Date Signature of candidate

Declaration by the candidate

I hereby declare that the information furnished above is true and that I possess all the qualifications necessary for election to the municipal council and that I am not subject to any of the disqualifications specified in the Mysore Minor Municipalities Regulation 1933 or the rules thereunder to be a candidate

Date Signature of candidate

FORM B

(REFERRED TO IN RULE 17)

Counterfoil

Voting Paper No

Voter s number on the Voters List

Voter s signature or thumb impression

Foil

Voting paper No

Serial No	Candidate s name	Candi date s symbol	Voter s mark
1			
2			
3			
4			
5			
6			
7			
8			

(1) The number of members to be elect is

(2) Place a cross mark thu × again t t cand date for whom y each of the candidates wish to vote

(3) The mark should be placed against r more than name / names

L 1514/mul 91-33-2 dated 29/8/33

Errata

The following corrections shall be made in the Minor Municipal Council Election Rules published under notification No I 1399/A 1 91-31-1 dated the 22nd August 1933 (vide Part IV of the Mysore Gazette dated 24th August 1933

(1) Page 541, rule 21 (vi) - 3rd line for the words "folding and after closing the voting paper" substitute the words "and after folding and closing the voting paper"

(2) Page 542, 3rd line. Omit the word 'seal' occurring between the words "it" and "till"

By order,

Nov 29/8
Secretary to Government

To

The Compiler, Mysore Gazette, for publication, with a request that 200 copies may be supplied to this office and 25 copies to each the Deputy Commissioners.

Dutts